



Commonwealth of Virginia
 Department of General Services
 Division of Consolidated Laboratory Services
BUREAU OF FORENSIC SCIENCE

CERTIFICATE OF ANALYSIS

June 5, 1986

Northern Laboratory
 2714 Dorr Avenue
 P. O. Box 486
 Merrifield, Virginia 22116
 Tel. No. (703) 573-8636

TO: **Hanover Sheriff's Department**
ATTN: Inv. R. G. Schneider
Hanover Courthouse
Hanover, Virginia 23069

Your Case # **86040117407711**

FS Lab # **86-02870**

Victim(s): [REDACTED]

Examiner: **Myron T. Scholberg**

Suspect(s): **HOPKINS, James M.**

Date Received **5/22/86**

Evidence Submitted By: **Inv. R. G. Schneider**

- Item 1. **Cloth**
- Item 2. **Head hairs from victim**

RESULTS OF EXAMINATION:

Item 1. A single head hair of Caucasian origin found on this item is microscopically like hairs in the known head hair sample from the victim. No other hairs suitable for comparison purposes were found.

The submitted items are being returned to the Richmond laboratory for disposition.

STATE OF VIRGINIA
 CITY/COUNTY OF Fairfax to-wit:

[Handwritten Signature]

THIS day personally appeared before me, Sharon L. Childs, a notary public, in and for said city/county in the

Commonwealth of Virginia, Myron T. Scholberg, who signed the foregoing Certificate of Analysis, before me, and after being duly sworn, made oath (1) that he performed the analysis and/or examination the results of which are herein contained, (2) that said analysis and/or examination was performed in a laboratory operated by the Division of Consolidated Laboratory Services of the Commonwealth or authorized by such Division to conduct such analysis and/or examination and (3) that this Certificate of Analysis is true and correct.

Given under my hand this _____ day of _____, 19____, _____ Notary Public

My commission expires November 12, 1988

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MYRON T. SCHOLBERG, called as
a witness on behalf of the Commonwealth, first being duly
sworn, testified as follows:

DIRECT EXAMINATION

BY MR. KIZER:

Q Sir, would you tell us your
full name?

A Yes, my name is Myron T. Schol-
berg. Scholberg is spelled S-C-H-O-L-B-E-R-G.

Q Sir, what is your occupation?

A I'm employed by the Commonwealth
of Virginia at the Northern Virginia Crime Lab in Merrifield,
Virginia.

Q What is the nature of your
occupation, sir?

A I'm employed as a forensic
scientist and my specialty is the area of hair and fibers.

Q Will you tell us what your
educational background is?

A Yes. I hold a Bachelor of

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1 Science Degree and a Master's Degree in Public School Adminis-
2 tration from South Dakota State University in Brooking, South
3 Dakota. In addition, I taught science courses, physics,
4 chemistry, biology in public schools in South Dakota for
5 four years prior to entering the FBI in 1964.

6 Q Can you tell us what type of
7 specialized training you've received since you went into the
8 FBI in 1964, sir?

9 A I spent three years as a field
10 agent before I was assigned to the laboratory in Washington,
11 D. C. in 1967. The rest of that -- the remaining years of
12 my career were spent in the laboratory of the FBI in Washing-
13 ton, D. C. All eighteen of these years were in the hair and
14 fiber unit, and for ten years I was an active examiner in
15 the unit. The remaining eight years I was the unit chief of
16 this particular unit and my duties then included supervising
17 activities of the other twenty-three people in the unit.

18 Q Can you tell us what training
19 you have had in the field of hair and fiber analysis?

20 A When I was assigned to the
21 laboratory in 1967, I received one year's training in the
22 hair and fiber field and this training was under the super-
23 vision of the person that was then my unit chief and other
24 more experienced people in the unit.

25 Q Can you tell us whether or not

1 you have ever been qualified before as an expert in courts
2 around the United States in the field of hair and fiber
3 analysis?

4 A Yes. I've testified and been
5 qualified approximately four hundred times in forty-three
6 states and other places throughout the world.

7 Q Specifically, in the Commonwealth
8 of Virginia, have you ever testified and qualified as an
9 expert in that field, sir?

10 A Many times.

11 MR. KIZER: Judge, I would move
12 to qualify this witness at this time as an
13 expert in the field of hair and fiber analysis.

14 THE COURT: Any voir dire, Mr.
15 Hicks?

16 MR. HICKS: Judge, one question,
17 if I might.

18
19 VOIR DIRE OF MR. HICKS:

20 Q Are you Board-certified in the
21 State of Virginia, sir?

22 A I'm sorry?

23 Q Are you Board-certified in the
24 State of Virginia?

25 A Am I Board-certified? No, I --

1 not that I --

2 THE COURT: You have to be
3 explaining the question to him, Mr. Hicks,
4 is there a Board and what Board do you mean
5 and things of that nature?

6 MR. HICKS: All right.

7
8 BY MR. HICKS: (Continuing)

9 Q In terms of your specialty, sir,
10 are there procedures that you all have to follow in terms
11 of qualifications associated with the State of Virginia to
12 be qualified as experts?

13 A Periodically, we have -- take
14 tests that are given. Since I started my work with the State
15 of Virginia in August of last year, we've had two tests that
16 we have had -- that have been sent up by the headquarters
17 lab in Richmond whereby we have been given known and question-
18 ed samples and asked to match them up, but as far as being
19 certified by a Board, I -- I'm not aware of this.

20 Q Are you saying, sir, that you
21 just started working with the Department of General Services
22 in Northern Virginia in August of last year?

23 A That's correct.

24 Q And, to your knowledge, you've
25 not taken any kinds of certification test for the State of

1 Virginia to qualify you as a hair and fiber expert?

2 A I've taken two and both of these
3 have been in the field of hair. I retired in March of '85
4 from the Federal Bureau of Investigation and started work for
5 the State of Virginia on a part-time basis first of August,
6 '85.

7 THE COURT: Any other questions,
8 Mr. Hicks, on voir dire?

9 MR. HICKS: Your Honor, I just
10 have some things we might take out of the
11 presence of the jury.

12 MR. KIZER: Judge, I'd like to
13 ask him some more questions before we do that.

14 THE COURT: All right, go ahead,
15 Mr. Kizer.

16
17 BY MR. KIZER: (Continuing)

18 Q Mr. Scholberg, to your know-
19 ledge, is there any Board which certifies persons who are
20 experts in the field of hair and fibers in the State of
21 Virginia?

22 A Well if there is, I haven't --
23 I haven't heard of it.

24 Q Are you a member of any type
25 of fraternal organization that is devoted to the science of

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1 hair and fiber analysis or any type of professional organi-
2 zations?

3 A At the present time, no.

4 Q Have you during the past?

5 A Yes, I have been.

6 MR. KIZER: All right. That's
7 all the questions I have.

8 THE COURT: I'm going to declare
9 him certified. We can make a record later.

10 Go ahead, Mr. Kizer.

11 MR. KIZER: Sheriff, would you
12 show the witness the red tie that I believe is
13 Commonwealth's Exhibit Number 8?

14
15 BY MR. KIZER: (Continuing)

16 Q Mr. Scholberg, Commonwealth's
17 Exhibit Number 9, the red tie, and Commonwealth's Exhibit
18 Number 10, which is an envelope, have you ever seen those
19 items, sir?

20 A Yes. I've seen both of these
21 items. Item Number 1, which is Exhibit Number 9, is a rust-
22 colored cloth that contains my initials, MTS, that I placed
23 on the item at the time of examination. Commonwealth's
24 Exhibit Number 10, an envelope containing what was identified
25 to me as head hairs from [REDACTED], and this item also

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1 contains my initials, MTS, that I placed on the exhibit at
2 the time of the examination.

3 Q Those are what is commonly
4 referred to as known hair samples as opposed to questioned
5 hair samples?

6 A Yes. This was identified to me
7 as a known head hair sample.

8 Q From [REDACTED] ?

9 A That's correct.

10 Q What was the purpose of your
11 examination when you received those items, sir?

12 A I was asked to examine the rust-
13 colored cloth for any hairs that might be adhering to this
14 item and if I found any hairs, to compare them with the hairs
15 that were identified to me as coming from [REDACTED].

16 Q Was the rust-colored tie
17 packaged as it is now in a sealed, cellophane envelope at
18 the time that you received it?

19 A Yes. When I received it, it
20 was -- I received it in a sealed condition.

21 Q Did you search that tie for any
22 hair fibers on it, sir?

23 A Yes, I did.

24 Q Were you able to locate on the
25 tie any hair fibers?

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1 A Yes, I was.

2 Q Would you tell us what you
3 located?

4 A I found two -- may I refer to
5 my notes, Your Honor?

6 THE COURT: Yes, sir.

7 A (Continuing) I found two limb
8 hairs of Caucasian origin that, in my opinion, were not
9 suitable for comparison purposes. I also found a single
10 head hair of Caucasian origin approximately five inches
11 in length. This hair had a root that had been forcibly
12 removed from the skin surface. This is the extent of the
13 hairs that I found on this item.

14 Q So you actually found a total
15 of three hair fibers, two that you refer to as limb fibers.
16 That, I take it, would be leg or hair -- or arm hairs, is
17 that correct?

18 A Yes.

19 Q And you said they were not
20 suitable for comparison, is that right?

21 A Limb hairs are -- usually are
22 not.

23 Q When you examine a head hair
24 such as the one you found on that particular tie, will you
25 tell the ladies and gentlemen of the jury what types of

1 things you were able to determine and what types of things
2 you're able to rule out with regard to such a hair?

3 A First of all, I determine
4 whether the hair is an animal or human hair and, if it would
5 be an animal, it would be possible for me to tell what kind
6 of an animal it came from. If it's a human hair, it would
7 be possible for me to determine the race that this hair
8 originated from, the body area, whether the hair had been
9 forcibly removed if it contained a root and it would also
10 be possible for me to tell whether the hair had been chemi-
11 cally treated, by that I mean bleached, dyed in some manner,
12 and also if the hair has been damaged in any way. These are
13 all done by microscopic examination.

14 Q Are you also able to compare
15 fibers -- hair fibers such as the one you found on that
16 red tie with known hair fibers and make comparisons of those
17 two?

18 A Yes. This examination is done
19 on a comparison microscope. A comparison microscope is
20 two compound microscopes going together by a bridge. I
21 would mount the hairs found on the rust-colored cloth and
22 also the hairs identified to me as the known specimen and
23 place them on glass microscope slides, which are contained
24 in these packets. Then I would examine the hairs under my
25 comparison microscope which makes it possible for me to view

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1 both slides simultaneously, allowing me to observe all the
2 microscopic characteristics of the known hairs with the
3 characteristics of the hair which I would refer to as a
4 questioned hair because I'm trying to identify it or
5 associate it.

6 Q Now the questioned hair that
7 you removed from the tie in this case, were you able to
8 determine what -- whether or not it was animal or human hair?

9 A Yes, it was a Caucasian head
10 hair.

11 Q And were you able to determine
12 whether or not it was forcibly removed or not?

13 A Yes. It had a root that exhibit-
14 ed shriveled characteristics and distorted characteristics
15 and it was forcibly removed from the scalp.

16 Q Did you have occasion to compare
17 that questioned hair fiber with the known hair fibers of
18 [REDACTED] ?

19 A Yes, I did.

20 Q Will you explain to the ladies
21 and gentlemen of the jury what your results were when you
22 did that comparison?

23 A Yes. When I compared the
24 questioned hair found on the rust-colored cloth with the
25 head hairs identified to me as coming from [REDACTED] --

1 these are Commonwealth's Exhibits 9 and 10 -- I found that
2 the Caucasian head hair removed from this item was micro-
3 scopically alike in all areas of detail with the head hairs
4 identified to me as coming from [REDACTED], Commonwealth's
5 Exhibit 10. They were alike in all identifiable microscopic
6 characteristics and my conclusion was that this hair could
7 have originated from this individual.

8 Q Did you find any dissimilarities
9 whatsoever between the questioned sample and the known hair
10 samples of [REDACTED]?

11 A There -- there were dis-
12 similarities in some of the hairs in the known sample because
13 of the variety of characteristics in the -- in the known
14 sample that I received. Some of these hairs exhibited
15 characteristics of hairs that have been chemically treated,
16 but I was able to match the hair found on the rust-colored
17 cloth with hairs included in this exhibit, Commonwealth's
18 Exhibit Number 10.

19 Q Will you tell the ladies and
20 gentlemen of the jury, please, how likely it is that two
21 persons will have hairs that are microscopically similar?

22 A You'll notice that my con-
23 clusion was that this hair could have originated from this
24 individual and the reason for that conclusion is that hairs
25 are not a positive means of identification. That is the

1 reason why my conclusion is could have and, although it is
2 a fact that it is not a positive identification, very seldom
3 do I work a case where I have known hair samples where hairs
4 from two different people are so nearly alike that I can't
5 tell the difference. There are a very few times that has
6 occurred and, of course, that's why hair identification is
7 not positive.

8 Q Is what you're saying in this
9 case you could not tell any difference between --

10 MR. HICKS: Your Honor, I think
11 he's leading the witness aside from what the
12 witness has already said.

13 THE COURT: Yes, sir, you --
14 don't restate his question, Mr. Kizer.

15
16 BY MR. KIZER: (Continuing)

17 Q Could you tell any difference
18 between the known hair sample and the questioned one in this
19 case?

20 A No, I couldn't.

21 Q And with regard to whether or
22 not hair samples are a positive source of identification,
23 you said -- if you plucked two hairs from the same person's
24 head right now, you did it yourself, and examined them micro-
25 scopically you, likewise, could not testify positively that

1 they came from the same person, could you?

2 MR. HICKS: Your Honor --

3 A That's -- that's correct.

4 MR. HICKS: -- I'm going to
5 have to object. I don't think a foundation's
6 been laid for this kind of hypothetical ques-
7 tion.

8 THE COURT: No, I think he can
9 ask that question. Your objection's over-
10 ruled.

11 Go ahead, Mr. Kizer.

12 MR. HICKS: Thank you, Your
13 Honor.

14 A (Continuing) Yes. Yes, that
15 would be correct.

16 MR. KIZER: Judge, I would move
17 to introduce into evidence for the purposes
18 of the trial the tie, if it hasn't already
19 come in, and the questioned hair sample, as
20 well as the known hair samples.

21 THE COURT: All right, sir.
22 They're now into evidence, 9 and 10.

23 MR. HICKS: Your Honor, I think
24 that I am allowed to voir dire the question.

25 THE COURT: Yes, sir.

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1 MR. HICKS: I do have some
2 objections to that being introduced into
3 evidence.

4 THE COURT: All right. Cross-
5 examine him.

6 CROSS-EXAMINATION

7 BY MR. HICKS:

8 Q Mr. Scholberg, you stated that
9 you found some hairs that are dissimilar, is that correct?

10 A I found two additional hairs
11 that were not suitable for comparison purposes. They were
12 not head hairs.

13 Q Now let me ask you this, sir.
14 From -- and I believe this is the -- you have the laboratory
15 report that you submitted, okay.

16 All right, from the laboratory
17 report that you submitted, could you tell us the sex of that
18 person, sir?

19 A No.

20 Q All right. Now you said that
21 you had hair from the known sample of [REDACTED], is that
22 correct?

23 A That's correct.

24 Q All right, and you said that
25 you found that the hair had been removed from the root, is

1 that correct?

2 A It appeared it had been forcibly
3 removed, right.

4 Q Could you tell how long that
5 had been done, sir?

6 A No.

7 Q Now let me ask you this, sir.
8 You have already stated this is not an exact science, is
9 that correct?

10 A I've stated that I cannot make
11 a positive identification. If that's what you mean, yes,
12 that's correct.

13 Q Okay, that's correct. You say
14 that could have been removed, is that correct?

15 A No, it was -- it was removed
16 forcibly. That's a positive statement. It had a root that
17 had been forcibly removed.

18 Q All right, and let me ask you
19 this, sir. Who else's hair samples did you compare this
20 with?

21 A This was the only known hair
22 sample that I had.

23 Q All right. Did you make any
24 comparison samples with, say, members of her family?

25 A Well I just -- I just previously

1 said this was the only known hair sample I had.

2 Q Okay. You had none from this
3 defendant here?

4 A If this was the only one that
5 I had, no.

6 Q All right. Now you stated you
7 had those two limb hairs, is that right?

8 A That's correct.

9 Q And other than that, you said
10 that you found one approximately five inches, is that right?

11 A That's correct.

12 Q All right, and your statement
13 is that it was microscopically alike, is that correct?

14 A Well my statement isn't that
15 it was only microscopically alike. My statement is that
16 they were alike microscopically in all identifiable charac-
17 teristics that I could observe based on my microscopic
18 examination.

19 Q And your own sample which you
20 included is that of the known sample, is that correct?

21 A That's correct.

22 Q And the only head hair you
23 found suitable was one hair, is that correct, known sample?

24 A I'm sorry, I didn't understand
25 your question.

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1 Q The only hair that you found
2 was one for suitable comparison?

3 A One hair suitable for comparison
4 on this item. All of the hairs in the known specimen are
5 suitable for comparison.

6 Q And let me ask you this, sir.
7 In a population of, say, a hundred Caucasians, how many
8 persons would have hair most like the one that you found?

9 A Of course, I couldn't answer this
10 until I looked at the hair from a hundred Caucasians, but
11 based on my experience and what I previously said, very
12 seldom do two people have hairs so nearly alike that I can't
13 tell the difference.

14 Q And you said that you're not
15 able to determine the sex of hair?

16 A We don't have that capability
17 at -- in the State of Virginia.

18 MR. HICKS: Thank you, sir.

19 MR. KIZER: One other question.
20
21

22 REDIRECT EXAMINATION

23 BY MR. KIZER:

24 Q Mr. Scholberg, you were
25 questioned on cross-examination about the probabilities of

1 finding a similar hair. Are you acquainted with any studies
2 which indicate the probabilities of finding such a hair in
3 a comparison such as the one that you did?

4 A I personally and the FBI have
5 not done any probability studies. There have been probabi-
6 lity studies conducted.

7 Q Are you aware of the results of
8 those studies, sir?

9 A Yes, sir, I am.

10 Q Specifically, a study that was
11 done in Canada?

12 A Yes.

13 Q What were the --

14 MR. HICKS: I'm going to object
15 to that until we can -- unless we can produce
16 those here.

17 THE COURT: Yes. I think you've
18 got to lay a whole lot of groundwork.

19 MR. HICKS: A whole lot of
20 groundwork for that.

21 MR. KIZER: He was asked by the
22 defendant on cross-examination.

23 MR. HICKS: Nothing about Canada.
24 Your Honor, I think it is a matter once again --

25 THE COURT: If you could ask the

1 question that the defendant asked -- Mr.
2 Hicks asked, how many in a hundred-person
3 sample. If that study reflects that, then
4 it comes in for whatever value it has.

5
6 BY MR. KIZER: (Continuing)

7 Q In the study with which you
8 are aware, sir, how many persons in a --

9 MR. HICKS: Your Honor, I renew
10 my motion again.

11 MR. KIZER: Judge, I'm trying
12 to ask the exact same question.

13 THE COURT: Yes, let him ask
14 the question and I'm going to let the man --
15 let Mr. Scholberg answer.

16
17 BY MR. KIZER: (Continuing)

18 Q Mr. Scholberg, in the study
19 with which you are familiar, how many persons of the Cauca-
20 sian Race in a hundred-person sample or what fraction of
21 that would have or be likely to have the same type of charac-
22 teristics as the hair you found in this particular sample?

23 A In the study of what you're
24 referring to done by the Royal Canadian Mounted Police --

25 MR. HICKS: Your Honor, I must

1 again persist with this. The sample I asked
2 was about a hundred persons. We're again
3 going through this Canadian persons again
4 outside the scope of what cross-examination
5 was.

6 THE COURT: No, sir. He has the
7 right and the jury has the right to weigh it
8 on what the study was based on. You can
9 cross-examine him on the study, but he has a
10 right to answer as to that particular study.

11 Go ahead, Mr. Scholberg.

12 A (Continuing) The study done in
13 Canada, which was done in 1975 by Barry Gaudet, who is a
14 reputable forensic examiner --

15 THE COURT: Yes. Now that's
16 an opinion. That's not proper.

17 MR. HICKS: Your Honor, that's
18 objectionable.

19 THE WITNESS: Okay, Your Honor.

20 MR. HICKS: Your Honor, this --
21 Your Honor --

22 A (Continuing) The --

23 MR. HICKS: -- excuse me, Mr.
24 Scholberg.

25 MR. KIZER: Judge, I --

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MR. HICKS: Your Honor, we
may -- I have a motion I think we need to take
up right now.

THE COURT: All right, take the
jury out, Mr. Martin.

NOTE: The jury having left the
Courtroom, the hearing continues as follows:

JURY OUT

THE COURT: All right, state
your position, Mr. Hicks.

MR. HICKS: Your Honor, at this
time the defense would have to move for a
mistrial in terms of the conclusion made by
Mr. Scholberg and with reference to the person
who he's assailing as the expert in terms of
his reputation, again, far exceeding anything
that's been brought up on cross-examination
and, again, Your Honor, reference to the
questions that are being permitted by the
Commonwealth as going beyond the scope of

1 JURY OUT

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3 cross-examination. Again, I think the answers
4 or the statements that have been made are
5 clearly and highly prejudicial towards the
6 defendant in this case and any other state-
7 ments that come out of the mouth of Mr.
8 Scholberg is tainted with that, in fact, Your
9 Honor, and I'd ask the Court to entertain this.

10 MR. KIZER: Judge, the defend-
11 ant's question, to begin with, which is what
12 I followed up on was to the witness, are you
13 aware of any statistics, and then he went on.
14 Obviously, if he's aware of any statistics,
15 it's got to come from some place. The Court
16 allowed the question. With regard to whatever
17 reputation the person who conducted the study
18 has, I -- the Court simply has to instruct the
19 jury not to consider it and I will ask the
20 witness to confine his answer to the results
21 of the study and not who did them or under
22 what circumstances, but it's not a proper
23 motion for a mistrial.

24 THE COURT: It appears to the
25 Court that the defendant started down this

1 JURY OUT

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3 road and the questions that have been asked
4 now are proper. The -- Mr. -- I caution Mr.
5 Scholberg to make his answers a little more
6 responsive rather than giving opinions, but
7 he has stated for the record that he has done
8 no study but he is able to recite from a
9 study that's been done in Canada and I think
10 he has a right to put that on.

11 Mr. Hicks, you have a right to
12 examine him further on that study in recross,
13 if you so desire. I'm going to let him
14 testify as to what the results of that study
15 is, but, Mr. Scholberg, don't give an opinion
16 as to the authenticity or the -- whether it's
17 good, bad or indifferent.

18 All right, bring the jury back
19 in.

20 MR. HICKS: Judge, for the
21 record, I would make exception to the motion.

22 THE COURT: Yes, sir.

23 MR. KIZER: Judge, to accommo-
24 date Mr. Hicks, I would ask that you advise
25 the jury not to consider the remarks about the

1 JURY OUT

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3 person who did the study.
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6 NOTE: At this time all jurors
7 return to the Courtroom, and the hearing
8 continues as follows:
9

10
11 JURY IN

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13 THE COURT: Now, members of the
14 jury, the Court will caution you that when we
15 talk about studies and tests and things of
16 this nature done by someone other than the
17 witness which is testifying, it is a question
18 of fact and, therefore, it's in your realm.
19 It may be good and it may be bad. You deter-
20 mine whether it is and what weight is to be
21 given to it. I don't know how else to express
22 it to you, but any comments from this witness
23 as to what he thinks the study is, is not
24 admissible. You can't consider that. It's a
25 question of fact. If the Canadian study is

1 good, bad or indifferent, that's something
2 you have to determine, but he has a right to
3 say what the results of that study were.

4 Go ahead, Mr. Kizer.

5
6 BY MR. KIZER: (Continuing)

7 Q Mr. Scholberg, I'll try and
8 repeat the question and ask you to answer it, please.

9 Are you aware of any statistics
10 that have been formulated as to the probability of the amount
11 of persons within a one hundred-person group of Caucasian
12 males or any fraction of that group that would be likely to
13 have the same characteristics -- hair characteristics as you
14 found in this comparison?

15 A In a Canadian study, the results
16 showed -- this was a matching study comparing questioned
17 hairs with known hairs. The results indicated that if a
18 questioned hair matched a known sample, the chances of that
19 hair not originating from that person would be about forty-
20 five hundred to one.

21 MR. KIZER: That's all the
22 questions I have.

23 THE COURT: Any recross on that,
24 Mr. Hicks?

25 MR. HICKS: No questions.

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THE COURT: All right. May Mr. Scholberg be excused?

MR. KIZER: Judge, I'd ask that he stay outside.

THE COURT: All right, go back outside, Mr. Scholberg, and do not discuss what's gone on in the Courtroom.

THE WITNESS: Does that mean I'm not excused, Your Honor?

THE COURT: You're not excused. You stay in the complex.

* * * * *

WITNESS STOOD ASIDE

THE COURT: Next witness, Mr. Kizer.

MR. KIZER: Judge, at this point I would move to introduce all of the exhibits into evidence for the purposes of the trial. I don't know that -- I don't know whether the Court has made its final ruling on all of them, but I would move to do that at this time.

THE COURT: All right. I think